

REMARKS

By this second preliminary amendment, the claims 11 and 12 have been presented in a form consistent with USPTO practice. Claims 1-12 continue to be pending. Prompt examination of the application is respectfully requested.

Respectfully submitted,



Tim L. Brackett, Jr.
Registration No. 36,092

NIXON PEABODY LLP
8180 Greensboro Drive, Suite 800
McLean, Virginia 22102
(703) 770-9300
(703) 770-9400 (Fax)

TLC/JWM

Marked-up Version of the Amendments

IN THE CLAIMS:

Please add claims 11 and 12 as follows:

11. (Amended) A surgical device for use in minimally invasive surgery of the type using an inflated cavity accessible to a surgeon through an access port, defined by the device, surrounding an incision in a patient's body, the device comprising:

body cavity engagement means for insertion into the incision to locate the device in position including a distal ring;

fixing means for attaching the device to a patient's skin, said fixing means including a proximal ring;

a sleeve connectable between the body cavity engagement means and the fixing means, said sleeve having an adjustable length that shortens to retract the incision to define the access port; and

a sealing means mounted on at least one of the distal ring and the proximal ring to prevent substantial leakage of gas from the body cavity on inflation when in an operative position and formed to mold about a substantial portion of a surgeon's hand or surgical instrument on insertion in an operating position.

12. (Amended) A surgical device for use in minimally invasive surgery of the type using an inflated cavity accessible to a surgeon through an access port, defined by the device, surrounding an incision in a patient's body, the device comprising:

body cavity engagement means for insertion into the incision to locate the device in position including a distal ring;

fixing means for attaching the device to a patient's skin, said fixing means including a proximal ring;

a sleeve connectable between the body cavity engagement means and the fixing means, said sleeve having a length;

an adjustment means for adjusting the length of said sleeve to retract sides of the incision; and

a sealing means mounted on at least one of the distal ring and the proximal ring to prevent substantial leakage of gas from the body cavity on inflation when in an operative position and formed to mold about a substantial portion of a surgeon's hand or surgical instrument on insertion in an operating position.